

# CITT

## CITIZENS' INDEPENDENT TRANSPORTATION TRUST

Wednesday, February 8, 2006

Stephen P. Clark Center

Board of County Commissioners Chambers

111 NW 1<sup>st</sup> Street

2 p.m.

### Summary of Minutes

#### **MEMBERS PRESENT:**

Marc A. Buoniconti, Chairman

Harold Braynon, Jr.

Maureen O'Donnell, Esq.

Susannah Troner

Hon. Jorge Rodriguez-Chomat

Hon. Linda Zilber

Angelberto "Angel" DeCoro

Miles Moss, P.E.

Hon. Anna E. Ward, Ph.D.

Rodney Sanders

Theodore Wilde

Hon. James Reeder

Henry Lee Givens

#### **ASSISTANT COUNTY ATTORNEY:**

Bruce Libhaber

#### **OTHERS PRESENT:**

Nan A. Markowitz, Executive Director, OCITT

Isabel G. Jettinghoff, PEG/IMG

Robert Villar, Mayor's Office

Stanley K. Shapiro, Citizen

Dea Martinez, OCI

John Prats, OCITT

Patty David, OCITT

Albert Hernandez, P.E., MDT

John Korsval, Citizen

Maria E. Johnson, OCITT

David Tinder, P.E., PWD

Lourdes Gomez, MDT

Patrice Rosemond, OCITT

Joanna Santiago, OCITT

Nestor Toledo, OCITT

Nya Lake, OCITT

#### **APPROVAL OF AGENDA**

With a quorum present, Mr. Buoniconti called the meeting to order at 2:05 p.m. Ms. Zilber moved to approve the agenda. The motion was seconded by Mr. Reeder and carried without dissent. The agenda was amended to remove Item 3A, to defer Item 4G to the February 22, 2006, CITT meeting, to add Item 8C (recognition of Mrs. Coretta Scott King), and to add Item 12A (traffic signals) to New Business.

#### **APPROVAL OF CONSENT AGENDA**

Ms. Zilber moved to approve the consent agenda with the removal of Item 4H for discussion. The motion was seconded by Dr. Ward and carried without dissent.

- A. RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) STRONGLY ENCOURAGING COUNTY DEPARTMENTS THAT EXECUTE OR ADMINISTER CONTRACTS FUNDED IN WHOLE OR IN PART BY THE PEOPLE'S TRANSPORTATION PLAN (PTP) TO CONTINUE, EXPAND, ENHANCE OR INITIATE OUTREACH EFFORTS TO EDUCATE SMALL BUSINESSES ON THE AVAILABILITY OF PTP FUNDED CONTRACTING OPPORTUNITIES AND TO CONSIDER PARTNERING WITH THE CITT IN PARTICIPATING IN THE PUBLIC OUTREACH EFFORT

Mr. Reeder moved to approve Action Item 4H; seconded by Mr. Wilde and carried without dissent.

Mr. Wilde requested that an evaluation report on the small businesses regarding traffic, how many original businesses are still operating, how many moved, how many closed, how many new businesses, and how they are in terms of ownership by persons who may be disadvantaged. Ms. Esther Calas, P.E., Director, PWD, stated that she would provide that information on a later date.

Mr. Givens suggested that the OCITT hire a Compliance Officer to ensure DBD related instructions are complied with by Contractors receiving PTP funds. Mr. Libhaber stated that staffing decisions fall under the County Manager; however, it does not preclude the CITT from recommending that there be individuals who do specific jobs or be hired for a specific job. Mr. Buoniconti asked if an employer or employee would have to go through a selection process. Mr. Libhaber replied that the County Manager does the hiring for the positions. There would be an in-house interview process. Ms. O'Donnell recommended that the Compliance and Oversight Committee meet more often and have the different departments report to the Committee as to the compliance of pending projects. Mr. Buoniconti stated that the Compliance and Oversight Committee should convene and come up with different options regarding the compliance issue and present to the CITT. Dr. Bonzon commented that hiring someone would be unnecessary because the Department of Business Development (DBD) is able to provide the information requested. Mr. Buoniconti asked that the DBD attend the next Compliance and Oversight Committee meeting with the information the CITT requested. Mr. Reeder commented that the County should sponsor a class for small businesses to learn how to acquire a contract with the County.

### **CITIZENS' COMMENTS**

None

### **APPROVAL OF MINUTES**

Ms. Zilber moved to approve the minutes of November 30, 2005, as revised. The motion was seconded by Mr. Moss and carried without dissent.

### **REPORTS**

**Mr. Roosevelt Bradley, Director, MDT**, commented on the favorable federal rating the County received. The favorable ratings show the North Corridor project as viable. It should allow MDT to move forward in getting a Record of Decision by the end of 2006. In addition, Mr. Bradley acknowledged that the projected opening date is 2009.

Mr. Buoniconti inquired about the Kendall Tri-Rail expansion. Mr. Bradley responded that Commissioner Joe A. Martinez, and representatives from MDT and Tri-Rail have met to discuss the alignment for the commuter rail.

The focus is on a single track that runs one train a day. Mr. Buoniconti asked if the commuter rail would interfere with any of the future federal projects. Mr. Bradley stated that no project would be affected. Mr. Wilde asked for any comments on the Miami Herald article that stated, MDT would do the maintenance on the tracks. Mr. Bradley responded that if MDT could expedite the process of the maintenance of the tracks, MDT would do the maintenance.

**Mr. Albert Hernandez, P.E. Deputy Director, MDT**, reported on the pedestrian overpasses. A prioritization report was produced for the pedestrian overpasses for the Coconut Grove, University, South Miami, Dadeland South, and Dadeland North Metrorail stations. Mr. Hernandez stated that the study concluded that the highest volume of pedestrians and number of incidents occurred at two station, the University of Miami and South Miami, followed by Coconut Grove, Dadeland North and Dadeland South. In addition, MDT will be advertising for final design of the South Miami and the University of Miami Stations pedestrian overpasses. Funding will only allow two (2) stations to be constructed at this time. Mr. Moss asked when the University of Miami overpass will be completed. Mr. Hernandez replied that the scheduled date is 2008. Mr. Moss questioned why all the overpasses could not be constructed with the \$10 million listed in the proforma. Mr. Hernandez replied that the cost for construction has gone up. Dr. Bonzon shared his concern for not constructing all of the overpasses. He said that if the pedestrian overpasses are in the PTP, then all should be built. Mr. Bradley stated that the pro forma can change at anytime based on the projection of what funds are allocated to what projects. In addition, Mr. Bradley stated that there should be \$3 million left after the two stations are built and that there might be funds in the pro forma for the overpasses.

Ms. O'Donnell commented that while she understands the importance of the University of Miami area, but the Kendall community should not be forgotten, specifically in the area of traffic signals. Mr. Moss inquired if the CITT wanted the overpass project to take place within the next four years and what would be the impact if the project went over the \$10 million and who would make the decision on the prioritizations of the projects. Mr. Libhaber affirmed that the projects are in the PTP. Prioritizations are a function of the MPO. Mr. Hernandez suggested the language be changed in the RFP to state that as funding becomes available the overpasses at Coconut Grove and Dadeland could be designed.

Mr. Buoniconti stated that MPO staff will attend the February 22, 2006, CITT meeting to discuss the prioritization of PTP projects and requested MPO staff to attend a Project and Financial Review Committee meeting. Mr. Sanders requested to know if County staff projects construction costs. Mr. Hernandez responded that professional staff and design consultants prepare engineering cost estimates as a requirement before projects go to bid.

Mr. David Tinder, P.E., PTP Coordinator, PWD, reviewed the PWD PTP January 19, 2006 Goals Report. Mr. Braynon asked what the timeline was for traffic signals. Ms. Calas replied that 400 signals should be in place within four years, and PWD is trying to cut it back to two years. Mr. Braynon asked about the prioritization of signals by location. Ms. Calas responded that the consultants are presently working on that information and it will be presented to the RTC and CITT when available.

**Mr. Nestor Toledo, Municipal Liaison, OCITT,** reported the following on the municipalities:

- All the municipalities should have its tracking program running by March 1, 2006
- The second phase of the municipal compliance has been implemented. Three (3) documents are requested from municipalities: the 5-Year Transportation Plan, its adopted fiscal year budget, and the maintenance of effort letters. Twenty-nine (29) municipalities are in compliance and two municipalities are not.
- OCITT staff made over 14 municipal visits.
- Four of the municipalities have been audited to make sure that they are in compliance.

Mr. Givens asked for CITT Member(s) to be notified whenever a municipality in their District is not in compliance. Mr. Reeder asked which two municipalities were not in compliance. Mr. Toledo advised that the Village of Bal Harbour and Miami Shores have not yet complied; however, they are expected to be in compliance soon. Dr. Ward stated that both municipalities are in her District and she would like a report showing which districts are and are not in compliance.

**Ms. Patrice Rosemond, Community Outreach, OCITT,** reported that the OCITT is continuing to schedule meetings and presentations to report on the progress of the PTP. Dr. Ward requested a schedule from Ms. Rosemond and Mr. Toledo with information of upcoming events and deadlines.

**Ms. Maria E. Johnson, Manager, Project Review and Financial Analysis, OCITT,** reported on the "Charter County Transit System Sales Surtax Collection Report as of December 2005," the CITT Cash Analysis of Charter County Transit System Sales Surtax FY 05-06," the "OCITT PTP Active Contracts Status Reports for PWD,, the "OCITT New Contracts for January 2006," and the "OCITT PTP Contracts." Dr. Ward asked what information she should be focused on when reviewing the reports. Ms. Johnson pointed out the strategic sections and sections of interest. Mr. Givens suggested that new Members to the CITT should be educated on what was happening, how it affects their District, and other policies and procedures. Mr. Buoniconti stated that when a new Member joins the CITT they are thoroughly educated on the policies and procedures of the CITT. Mr. Sanders inquired if non-compliance contractors are still submitting bids to the County. Dr. Bonzon responded that any contractor under contract with the County that does not complete the contract is defaulted. Mr. Libhaber stated that if a company did not complete a project the County could debar the company. It would prohibit the company from bidding or obtaining a contract with the County for a minimum of two years and up to five years. If the company owed the County money, the County cannot award contracts to the company, unless the County Manager recommends and two-thirds vote of the BCC awards the contract. Ms. Johnson informed the Members that there would be a \$200 million bond issue item at the February 15, 2006, Project and Financial Review Committee meeting.

## **ACTION ITEMS**

- A. RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) APPROVING THE BOARD OF COUNTY COMMISSIONERS' (BCC) ACTION, AUTHORIZING THE USE OF CHARTER COUNTY TRANSIT SYSTEM SALES SURTAX FUNDS FOR VARIOUS PURCHASE ORDERS IN THE AMOUNT OF \$939,500 ISSUED BY MIAMI-DADE TRANSIT (MDT) FOR CAPITAL IMPROVEMENTS, MAINTENANCE, AND OPERATIONS IN SUPPORT OF THE PEOPLE'S TRANSPORTATION PLAN (PTP) FOR THE MONTHS OF AUGUST, SEPTEMBER, AND OCTOBER 2005

Ms. Zilber moved to approve Action Item 8A; seconded by Mr. Moss and passed with opposition from Ms. O'Donnell.

Ms. Markowitz informed the Members that the catering portion of the purchase order was removed by the BCC. Dr. Ward asked if the Project and Financial Review Committee could have removed the catering portion. Mr. Libhaber responded that the Project and Financial Review Committee could have rejected the item and recommend that the catering portion be removed. Only the BCC could remove the catering portion of the purchase order. Dr. Ward asked why the Project and Financial Review Committee did not remove the catering portion before the BCC. Ms. Markowitz responded that the Project and Financial Review Committee did not take a position to recommend removing the catering portion. Mr. Bradley explained that the catering pertains to feeding employees that assisted in the Hurricane Wilma relief. Ms. O'Donnell asked why the PTP is funding 100 percent of routine maintenance. Mr. Bradley replied that as a part of the miscellaneous items that was approved by the CITT and the BCC, MDT was authorized to use PTP funds for those items. Furthermore, Mr. Bradley stated that the items are capital improvements and in the future, the item will clearly state it. Mr. Moss asked how the County will be reimbursed for the catering. Mr. Bradley responded that FEMA would reimburse the County 80 percent and MDT would pay the other 20 percent out of operating dollars.

#### B. THE SUNSET REVIEW QUESTIONNAIRE

Mr. Wilde suggested that if the CITT has not modified any contracts, the language should state that it has reviewed and approved those contracts only.

Mr. Reeder moved to approve the Sunset Review Questionnaire with the suggested changes. The motion was seconded by Ms. Zilber and carried without dissent.

#### C. RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT), RECOGNIZING POSTHUMOUSLY CORETTA SCOTT KING, WIDOW OF CIVIL RIGHTS ACTIVIST MARTIN LUTHER KING JR., FOR EXCEPTIONAL SERVICE AND COMMITMENT TO IMPROVING THE QUALITY OF LIFE FOR ALL PEOPLE

Mr. Reeder moved to approve Action Item 8C; seconded by Mr. Braynon and carried without dissent.

This Action Item was amended by Dr. Ward and Moved by Mr. Reeder and seconded by Ms. Zilber and carried without dissent.

#### **OLD BUSINESS**

None

#### **COMMITTEE REPORTS**

##### **CHAIRPERSON - MARC A. BUONICONTI**

- The financial consultants will provide a report at the February 22, 2006, CITT meeting.
- The joint CITT/BCC workshop was held on January 31, 2006. During the workshop Mr. Murray Greenberg, County Attorney, stated that the CITT does not have the authority to bring in an independent legal advisor and Mr. Libhaber is the attorney of record for the CITT.

Commissioner Diaz and Commissioner Gimenez will work with the CITT in presenting some alternatives to the ordinance and they will take them to the BCC.

- The Transportation Summit was discussed.

Mr. Givens requested that the County Commissioners be invited to the CITT retreat. Mr. Buoniconti voiced his concerns about having the CITT retreat. Mr. Moss commented that the Retreat was implemented to inform Members of any concerns or questions they have regarding the CITT. Mr. Moss suggested that during the next Community Outreach Committee meeting, topics should be gathered from the members, to start putting together the information for the retreat. Mr. Libhaber reminded Members that to comply with the Sunshine Law, Members could only send emails to the Executive Director and not copy any one else on the emails.

Mr. Moss stated that a proposal should be produced at the Community Outreach Committee meeting to make the CITT more independent. In addition, Mr. Moss commented that the PWD funding should continue, so that safety improvements could continue beyond 10 years. Ms. Markowitz shared her concern regarding writing a proposal to make the CITT more independent when she is a County employee and suggested that the Members work with their Commissioners to produce the proposal. Mr. Moss suggested that the proposal be written by one of the CITT Committees. Mr. Givens stated that he had a problem with the CITT seeking more independence from the BCC. Mr. Markowitz stated that the Community Outreach meeting will be scheduled for an earlier date.

#### **COMMUNITY OUTREACH – HON. LINDA ZILBER**

- Reported that the Municipal Tracking system was demonstrated
- MDT gave updates that include an interesting pamphlet
- MDT also reported on the Public Opinion Survey and the comment cards
- STS will be reporting at the next Community Outreach Committee meeting

#### **COMPLIANCE AND OVERSIGHT –HAROLD BRAYNON JR, VICE CHAIRPERSON**

- The defining CITT language on reports was discussed
- Discussed a resolution to forward to County Departments to assist in encouraging small business owners to conduct business with the County
- Working with DBD in educating small businesses on how to do business with the County
- Review the companies that do businesses with the County as it relates to the minority make-up of the County and the company.

#### **PROJECT AND FINANCIAL REVIEW - MILES MOSS**

- Reported that the items on today's consent agenda were discussed in detail at the meeting
- Discussed the pro forma with the consultants
- Discussed Mr. Reeder's request regarding the roadway projects

#### **EXECUTIVE DIRECTOR'S REPORT- NAN MARKOWITZ**

Open recruitment for the CITT will run from February 6 to March 6. Term Limits will expire for Members in Districts 6, 7, 8, and 9. If a Member would like to serve again, they will have to re-apply.

### **CITIZENS' COMMENTS**

None

### **NEW BUSINESS**

Mr. Givens would like the PWD to submit a report on pedestrian crossings in Miami-Dade County at the February 22, 2006, CITT meeting.

### **ANNOUNCEMENTS**

Mr. Buoniconti announced that the next CITT meeting will be held on Wednesday, February 22, 2006, at 2 p.m., at SPCC, 111 NW 1 Street, Commission Chambers.

### **ADJOURNMENT**

There being no further business, the meeting was adjourned at 4:52 p.m.

**\*\*\*MINUTES ARE IN SUMMARY FORM\*\*\***

**FOR VERBATIM TRANSCRIPTIONS OF THIS MEETING PLEASE REQUEST COPIES OF THE DIGITAL RECORDING  
FROM THE OFFICE OF THE CITT AT 305-375-3481**